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NEWS RELEASE

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State Provides Amnesty to Eliminate Dangerous Cesspools

(Santa Fe, NM) – The New Mexico Environment Department’s (NMED) Liquid Waste Program will provide amnesty to homeowners who contact the agency to eliminate their cesspool and replace it with a modern onsite wastewater system. Cesspools are excavations or other leaky structures in the ground that are used to dispose of raw sewage. Cesspools are dangerous, particularly to young children, and have been illegal in the State of New Mexico since 1973. At least three children and two adults in New Mexico have fallen into cesspools, and died from drowning or asphyxiation, most recently in April 2011. Cesspools also can contaminate water wells by allowing untreated sewage to seep into the aquifer. Cesspools that are no longer being used must be collapsed and filled with dirt.

“Cesspools have been illegal for 39 years because they are deathtraps that can also pollute water wells,” said NMED Secretary Dave Martin. “It’s time to get rid these dangerous relics of antiquated technology.”

If you have a cesspool on your property, here is what you need to do:

1. Call the NMED Liquid Waste Program at 505-827-2345 or 1-800-219-6157 (toll free) and tell them you want to get rid of your cesspool.
2. If your cesspool is no longer being used, you will need to destroy it.
3. If your cesspool is still being used, you will need to apply for a permit to install a modern onsite wastewater system, and also destroy the cesspool.

Owning property with a cesspool is a crime, punishable by up to 6 months in jail and/or hundreds of dollars in fines. NMED will not seek civil or criminal prosecution of homeowners who have cesspools on their property, provided that they contact NMED by October 1, 2012 to correct their violations. On or after October 2, 2012, homeowners who have a cesspool on their property will be subject to enforcement.

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